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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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In the Matter of)
Policy and Rules Concerning the)
Interstate, Interexchange Marketplace)
Implementation of Section 254(g) of the)
Communications Act of 1934, as)
amended)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. 96-61

REPLY COMMENTS OF GTE SERVICE CORPORATION

GTE Service Corporation (GTE) submits these comments, on behalf of its affiliated non-dominant interexchange carriers, in reply to initial comments of various parties. Those comments are addressed in the order the issues were raised in the Public Notice.

I. Tariffing of Bundled Interstate and International Services

Most parties commented on the disparity in tariff treatment between interstate and international services and the problems that poses with bundled services. See, e.g., AT&T at 5-8; Competitive Telecommunications Association (CompTel) at 3-4; Sprint at 2-5. GTE noted that one resolution of the difference in tariffing requirements would be to allow liberal cross-referencing of detariffed services in international tariffs. GTE at 4-5. This would require modification of 47 C.F.R. section 61.74, but would also minimize the discrepancy between the two regimes. If, however, the Commission does not grant GTE's suggested revision to section 61.74, GTE agrees with AT&T that the transition period should be modified to provide that detariffing of interstate interexchange services coincide with detariffing of international services (if that occurs).

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II. Timing of the Web-Posting Requirement

Comments proposed various time periods for imposition of the requirement to post information on a carrier's web site. A few commenting parties seek a shortened time frame for requiring web posting. NTCA at 7; GSA at 5; Econobill at 2. In contrast, carriers involved in detariffing their interstate interexchange services agree that this effort requires a substantial amount of work for both preparation of a web site as well as planning for operation in a detariffed environment agree. See, e.g., AT&T at 8; WorldCom at 5; Sprint at 5-6; ASCENT at 3.

The Commission reinstated a public disclosure requirement (including web posting for carriers having a web site) in its 1999 Order in this proceeding. *In the Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace*, 14 FCC Rcd 6004 (1999) (Second Order on Reconsideration). In particular, in paragraph 19 of the Second Order on Reconsideration, the Commission refers to the public disclosure requirement as "the one positive aspect of tariffing. . ." As Bell Atlantic noted in its initial comments, ". . . the disclosure rules are associated only with *detariffed* services." Bell Atlantic Long Distance at 2 (cit. om.). See *a/so* WorldCom at 6. Clearly, the Commission intended that the public disclosure requirements, including particularly web posting, would replace tariffs, and not duplicate them.

Until services are detariffed, tariffs provide the means of public disclosure. See AT&T at 8. Moreover, service offers may change as the transition is made from tariffs to the detariffed environment. WorldCom at 6.

To require web posting sooner than the end of the transition period would require carriers to provide duplicate information, or even information that may differ from the tariff. Such an effort would be a poor use of resources and could lead to customer confusion. Thus, GTE reiterates that the web posting requirement should be imposed no earlier than the end of the transition period.

Some comments raise the issue of the details of the information that should be posted on the carriers' web sites. Econobill would prohibit the equivalent of tariff information on the web sites. Econobill at 2. The Telecommunications Management Information Systems Coalition (Coalition) would require information which "mirrors" the information now in tariffs. Coalition at 5. The Coalition would also impose timing requirements for posting of information. Coalition at 4-5. ASCENT would require posting of all individually-negotiated contract information. ASCENT at 2. All of these suggestions ignore one of the fundamental reasons for the Commission's decision to detariff interexchange services, which is that carriers should operate more like nonregulated service providers. See *MCI WorldCom, Inc. v. FCC*, No. 96-1459, *slip op.* (D.C. Cir. April 28, 2000). All of the above suggestions would impose more regulation on interexchange carriers, and would move the industry in exactly the opposite direction from the one in which the Commission is directing it. The Commission should expect that in a less regulated environment, approaches to the web site will vary by carrier. The rule has already been promulgated, setting the benchmark criteria for compliance with the web posting requirement. 47 C.F.R. section 42.10(b). The Commission should allow

maximum carrier discretion in the implementation of the rule, which already contains a great deal of detail about what is required. In particular, the rule does not impose mandatory elements that would make the public disclosure more burdensome than tariffs themselves (such as posting all individually negotiated contract information). The Commission should decline the opportunity to undercut its existing rule by imposing such burdensome conditions.

III. Other Transition Issues


The National Telephone Cooperative Association (NTCA) complains that “some IXCs” may not be complying with the Commission’s rate averaging requirements. NTCA at 3. Whether a particular carrier is complying with a requirement is not an issue appropriately addressed in this docket, but should instead be raised as a complaint or enforcement issue targeted at the offender(s). In addition, NTCA’s suggested remedy of mandatory advertising would be over-regulating a competitive market, and could well be unnecessary for carriers who are complying with the rate averaging requirements. NTCA’s suggestions should, therefore, be disregarded.

CONCLUSION

GTE urges the Commission to revise 47 C.F.R. section 61.74 to allow liberal cross-referencing of detariffed services, or, in the alternative, to consider simultaneous detariffing of interstate and international services once detariffing of international services has been considered. In addition, GTE supports use of the full transition period to develop web posting, and urges the Commission to avoid re-regulating interstate, interexchange services via overly specific informational requirements.

Respectfully submitted,

GTE SERVICE CORPORATION on
behalf of its affiliated, non-dominant,
domestic interexchange carriers.

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CERTIFICATE OF SERVICE

I, Robin Walker, hereby certify that on this 9th day of June, 2000, I caused copies of the foregoing Reply of GTE to be sent via hand-delivery to:

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